

understand that this contract milk will be priced in accordance with the terms and conditions of the contract.

Printed Name: _____
 Signature: _____
 Date: _____
 Address: _____
 Producer Number: _____

(f) *Other definitions.* The definition of any term in Parts 1000–1131 of this chapter apply to, and are hereby made a part of this part, as appropriate.

Subpart B—Program Rules

§ 1145.2 Program.

(a) Any handler defined in 7 CFR 1000.9 may enter into forward contracts with producers or cooperative associations of producers for the handler's eligible volume of milk. Milk under forward contract in compliance with the provisions of this part will be exempt from the minimum payment provisions that would apply to such milk pursuant to 7 CFR 1001.73, 1005.73, 1006.73, 1007.73, 1030.73, 1032.73, 1033.73, 1124.73, 1126.73 and 1131.73 for the period of time covered by the contract.

(b) No forward price contract may be entered into under the program after September 30, 2012, and no forward contract entered into under the program may extend beyond September 30, 2015.

(c) Forward contracts must be signed and dated by the contracting handler and producer (or cooperative association) prior to the 1st day of the 1st month for which they are to be effective and must be received by the Federal milk market administrator by the 15th day of that month. The disclosure statement must be signed on the same date as the contract by each producer entering into a forward contract, and this signed disclosure statement must be attached to or otherwise included in each contract submitted to the market administrator.

(d) In the event that a handler's contract milk exceeds the handler's eligible milk for any month in which the specified contract price(s) are below the order's minimum prices, the handler must designate which producer milk shall not be contract milk. If the handler does not designate the suppliers of the over-contracted milk, the market administrator shall prorate the over-contracted milk to each producer and cooperative association having a forward contract with the handler.

(e) Payments for milk covered by a forward contract must be made on or before the dates applicable to payments for milk that are not under forward contract under the respective Federal milk marketing order.

(f) Nothing in this part shall impede the contractual arrangements that exist between a cooperative association and its members.

Subpart C—Enforcement

§ 1145.3 Enforcement.

A handler may not require participation in a forward pricing contract as a condition of the handler receiving milk from a producer or cooperative association of producers. USDA will investigate all complaints made by producers or cooperative associations alleging coercion by handlers to enter into forward contracts and based on the results of the investigation will take appropriate action.

Dated: October 24, 2008.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E8–25856 Filed 10–30–08; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0430; Directorate Identifier 2007–SW–42–AD; Amendment 39–15694; AD 2008–21–10]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS332 C, L, L1 and L2 Helicopters

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the specified Eurocopter France (ECF) model helicopters. This AD results from mandatory continuing airworthiness information (MCAI) originated by the aviation authority of France to identify and correct an unsafe condition on an aviation product. The aviation authority of France, with which we have a bilateral agreement, states in the MCAI: “This Airworthiness Directive (AD) is issued following two cases of LH hydraulic power system loss on two AS332 helicopters. In both cases, the pilot received the “low level” hydraulic failure alarm. The investigations conducted on the two helicopters revealed a hydraulic fluid leak from the hydraulic pump casing. In both cases, incorrect position of the liner of the

compensating piston had caused the seals to deteriorate. This incorrect positioning of the liner is due to non-compliant application of the repair process by a repair station. Deterioration of hydraulic pumps causes:

- The loss of the RH and LH hydraulic power systems in the event of a substantial hydraulic fluid leak from both hydraulic pumps during a given flight.

- The loss of the hydraulic system concerned, in the event of a substantial hydraulic fluid leak from only one pump.”

This AD requires actions that are intended to address this unsafe condition.

DATES: This AD becomes effective on December 5, 2008.

The incorporation by reference of certain publications is approved by the Director of the Federal Register as of December 5, 2008.

ADDRESSES: You may examine the AD docket on the Internet at <http://regulations.gov> or in person at the Docket Operations office, U.S.

Department of Transportation, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053–4005, telephone (972) 641–3460, fax (972) 641–3527, or at <http://www.eurocopter.com>.

Examining the AD Docket: The AD docket contains the Notice of proposed rulemaking (NPRM), the economic evaluation, any comments received, and other information. The street address and operating hours for the Docket Operations office (telephone (800) 647–5527) are in the **ADDRESSES** section of this AD. Comments will be available in the AD docket shortly after they are received.

FOR FURTHER INFORMATION CONTACT: Uday Garadi, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193–0110, telephone (817) 222–5123, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Discussion

We issued an NPRM to amend 14 CFR part 39 to include an AD that would apply to the specified Eurocopter model helicopters on April 3, 2008. That NPRM was published in the **Federal Register** on April 22, 2008 (73 FR 21553). That NPRM proposed to replace

certain unairworthy hydraulic pumps with airworthy pumps. You may obtain further information by examining the MCAI and any related service information in the AD docket.

Comments

By publishing the NPRM, we gave the public an opportunity to participate in developing this AD. However, we received no comment on the NPRM or on our determination of the cost to the public. Therefore, based on our review and evaluation of the available data, we have determined that air safety and the public interest require adopting the AD as proposed.

Relevant Service Information

Eurocopter France has issued Emergency Alert Service Bulletin No. 01.00.73, dated August 23, 2007 (ASB). The actions described in the MCAI are intended to correct the same unsafe condition as that identified in the ASB.

Differences Between This AD and the MCAI

- We do not require the operator to return the hydraulic pump to the manufacturer nor any action on non-installed hydraulic pumps.
- We changed “flying hours” to “hours time-in-service.”

In making these changes, we do not intend to differ substantively from the information provided in the MCAI. These differences are highlighted in the “Differences Between the FAA and the MCAI” section in the AD.

Costs of Compliance

We estimate that this AD will affect about 4 helicopters of U.S. registry. We also estimate that it will take about 2.5 work-hours per helicopter to inspect and replace one hydraulic pump. The average labor rate is \$80 per work-hour. Each pump will cost about \$26,000 and require two hydraulic pumps per helicopter. Based on these figures, we estimate the cost of the AD on U.S. operators will be \$209,600 to replace all the hydraulic pumps on the U.S. fleet.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with

promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on product(s) identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Therefore, I certify this AD:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new AD:

2008–21–10 Eurocopter France:
Amendment 39–15694; Docket No. FAA–2008–0430; Directorate Identifier 2007–SW–42–AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective on December 5, 2008.

Other Affected ADs

- (b) None.

Applicability

(c) This AD applies to Models AS332C, L, L1, and L2 helicopters, with a hydraulic pump made by Messier-Bugatti, part number C24160–X, C24160–XXX, C241600XX, C241600XX–X, and C241600XX–XXX, with a serial number without the suffix letter “V”, listed in paragraph 1.A.1., of Eurocopter France Emergency Alert Service Bulletin 01.00.73, dated August 23, 2007 (ASB) installed, certificated in any category.

Note: The letter “V” is a suffix marked after the serial number on the pump’s identification plate to signify that the pump has been determined to conform to the approved design data.

Reason

(d) The mandatory continuing airworthiness information (MCAI) states: “This Airworthiness Directive (AD) is issued following two cases of LH hydraulic power system loss on two AS332 helicopters. In both cases, the pilot received the ‘low level’ hydraulic failure alarm. The investigations conducted on the two helicopters revealed a hydraulic fluid leak from the hydraulic pump casing. In both cases, incorrect position of the liner of the compensating piston had caused the seals to deteriorate. This incorrect positioning of the liner is due to non-compliant application of the repair process by a repair station. Deterioration of hydraulic pumps causes:

- The loss of the RH and LH hydraulic power systems in the event of a substantial hydraulic fluid leak from both hydraulic pumps during a given flight.
- The loss of the hydraulic system concerned, in the event of a substantial hydraulic fluid leak from only one pump.”

This AD requires actions that are intended to address this unsafe condition.

Actions and Compliance

(e) Unless already done, do the following actions:

(1) Within 15 hours time-in-service (TIS), determine the part number and serial number of the installed hydraulic pumps. If the serial number of both the hydraulic pumps are listed in paragraph 1.A.1. of the ASB, before further flight, replace at least one of the pumps with an airworthy pump with a serial number other than one listed in paragraph 1.A.1 of the ASB or one with a serial number containing the letter “V”. Replace the pump by following the Accomplishment Instructions, paragraph 2. B. of the ASB, except this AD does not require you to return the hydraulic pump to the manufacturer.

(2) Within the next 12 months, replace all remaining hydraulic pumps having a serial number listed in paragraph 1.A.1 of the ASB by following the Accomplishment Instructions, paragraph 2.B. of the ASB, except this AD does not require you to return the hydraulic pump to the manufacturer.

Differences Between This AD and the MCAI

(f) We do not require the operator to return the hydraulic pump to the manufacturer nor do we require any action on non-installed hydraulic pumps. Also, we changed “flying hours” to “hours time-in-service.”

Subject

(g) Air Transport Association of America (ATA) Code: 2913 Hydraulic Pump.

Other Information

(h) The Manager, Safety Management Group, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Uday Garadi, Aviation Safety Engineer, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193-0110, telephone (817) 222-5123, fax (817) 222-5961.

Related Information

(i) MCAI Airworthiness Directive No. F-2007-010, dated September 12, 2007, contains related information.

Material Incorporated by Reference

(j) You must use the specified portions of Eurocopter France Emergency Alert Service Bulletin 01.00.73, dated August 23, 2007, to do the actions required.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053-4005, telephone (972) 641-3460, fax (972) 641-3527, or at <http://www.eurocopter.com>.

(3) You may review copies at the FAA, Rotorcraft Directorate, Fort Worth, Texas 76193-0112; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Fort Worth, Texas, on September 30, 2008.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. E8-24987 Filed 10-30-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2008-0623; Directorate Identifier 2008-NM-089-AD; Amendment 39-15699; AD 2008-22-04]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701, & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards * * *.

[A]ssessment showed that supplemental maintenance tasks [for the fuel tank wiring harness installation, and the hydraulic system No. 3 temperature transducer, among other items] are required to prevent potential ignition sources inside the fuel system, which could result in a fuel tank explosion. * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective December 5, 2008.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 5, 2008.

The Director of the Federal Register approved the incorporation by reference of Section 3, "Fuel System Limitations," of Part 2 of Bombardier CL-600-2C10, CL-600-2D15, and CL-600-2D24 Maintenance Requirements Manual CSP B-053, Revision 9, dated July 20, 2007, listed in this AD, as of April 16, 2008 (73 FR 13098, March 12, 2008).

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on June 9, 2008 (73 FR 32486) and proposed to supersede AD 2008-06-01, Amendment 39-15413 (73 FR

13098, March 12, 2008). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that supplemental maintenance tasks [for the fuel tank wiring harness installation, and the hydraulic system No. 3 temperature transducer, among other items] are required to prevent potential ignition sources inside the fuel system, which could result in a fuel tank explosion. Revision has been made to Canadair Regional Jet Models CL-600-2C10, CL-600-2D15 and CL-600-2D24 Maintenance Requirements Manual, CSP B-053, Part 2, Section 3 "Fuel System Limitations" to introduce the required maintenance tasks.

The corrective action is revising the Airworthiness Limitations Section (ALS) of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Remove References to Later Revisions

We removed the references to "later revisions" of the applicable service information in paragraphs (f) and (g)(2) of this AD to be consistent with FAA policy and Office of the Federal Register regulations. We may consider approving the use of later revisions of the service information as an alternative method of compliance with this AD, as provided by paragraph (h)(1) of this AD.

New Service Information

We received Revision 10, dated March 20, 2008, of Section 3, "Fuel System Limitations," of Part 2 of Bombardier CL-600-2C10, CL-600-2D15, and CL-600-2D24 maintenance requirements manual CSP B-053. The tasks specified in Revision 10 of the Maintenance Requirements Manual (MRM) are essentially the same as those in the previous revision of the MRM cited in the NPRM. We have revised paragraphs (f) and (g)(1) of the AD to reference Revisions 9 and 10 of the MRM.